



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Inventors: Takahiro SHOJI, et al. Art Unit: 2661  
Application No.: 10/069,008  
Filed: February 20, 2002  
For: BASE STATION APPARATUS AND CHANNEL ALLOCATION METHOD

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rs  
01-30-04

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

RECEIVED  
JAN 29 2004  
Technology Center 2600

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. US '238 was cited in a Chinese Office Action dated January 9, 2004 (English translation attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: January 28, 2004

James E. Ledbetter  
Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. L9289.02121  
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
WASHINGTON, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

**FORM PTO-1449** U.S. Department of Commerce  
(Rev. 4/92) Patent and Trademark Office

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

ATTY. DOCKET NO.

**L9289.02121**

SERIAL NO.

**10/069,008**

**APPLICANT**

Takahiro SHOJI, et al.

FILING DATE

**February 20, 2002**

**GROUP**

2661

**U.S. PATENT DOCUMENTS**

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.